

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

In re: **Alvin J. Johnson**

Debtor.

Case No. **16-41277-pjs**

Judge: **Phillip J. Shefferly**

DEBTOR'S CHAPTER 13 CONFIRMATION HEARING STATEMENT

At the next confirmation hearing in this case, the debtor intends to: [Check ONE of the following]

1. ☐ Request confirmation of the debtor's plan, because all timely objections of creditors and the trustee have been resolved. I have emailed to the trustee a proposed order confirming the plan, as required in paragraph 2 of the Chapter 13 Case Management Order.

2. ☒ Request confirmation of the debtor's plan, even though all timely objections have not been resolved. I have emailed to the trustee a proposed order confirming the plan, as required in paragraph 2 of the Chapter 13 Case Management Order. The parties are at an impasse in attempting to resolve these objections despite all reasonable efforts. The following are: (a) the parties whose timely objections have not been resolved; (b) their unresolved objections; and (c) the legal and factual issues that must be resolved by the Court in connection with confirmation:

Trustee Objections: 1.Failure to provide proof of debtor's daughter's contribution.
2.Failure to commit income tax refunds to trustee for creditors.
3.Failure to provide treatment for class 9 unsecured creditors.
4.question of retention of 2 properties on debtor's block without income.
5.question re \$25,000 FMV for 6819 Covert in schedule A and liquidation but \$15,000 in 5.2.

6. Questions re FMV of 6826 and 6818 Covert.
7.Question re adequate funding due to \$72,000 mortgage claim.
8.Question re adequate funding to pay all claims as proposed.
Issues: 1.daughter's Affidavit was provided at docket 41 on April 27, 2016.
2.Tax refunds are not required as debtor has proposed a 100% dividend.
3.Class 9 creditors are provided 100% in amended plan.
4.retention of additional homes on debtor's block protects debtor and his neighbors and debtor is using one of the 2 homes.
5.\$25,000 is correct FMV, the error in class 5.2 has been eliminated in amended plan.
6.Debtor stands by his estimate of FMV, however, will stipulate to this issue being open to review if debtor reduces class 9 to less than 100% or converts to chapter 7.
7.The \$72,000 mortgage is a reverse mortgage, only payments required are to reimburse mortgage company for out of pocket costs. This is made more clear in amended plan.
8.This is the same issue as paragraph.

Creditor # 1: Wayne County Treasurer
Objections: re balance owed, interest rate and lien retention.
Issues: this has been provided for in the amended plan and it is believed this objection will be resolved.

Creditor # 2: Ford Motor Credit
Objections: Failure to provide for vehicle in plan.
Issues: Amended plan provides for this lease and it is believed this debtor will sign off.

3. ☐ Request an adjournment of the confirmation hearing to _____, due to the following good cause: **To resolve the Trustee's and creditors objections.**

4. ☐ Dismiss the case. [The Court will construe this as a motion by the debtor to dismiss the case under Fed.R.Bankr.P. 1017(f)(2), and the Court will enter an order of dismissal and the case will be removed from the docket, unless the case was previously converted from Chapter 7, 11, or 12 to Chapter 13. In that event, a separate motion to dismiss must be filed within 10 days.]

5. ☐ Convert the case to chapter 7. [The debtor must promptly file a separate notice of conversion under Fed.R.Bankr.P. 1017(f)(3), and pay the filing fee for such notice. Such notice of conversion will cause the case to be converted without the entry of an order of conversion.]

/s/ JACK BERMAN

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